

**CHAPTER NO. 593****HOUSE BILL NO. 3528**

**By Representatives McMillan, West, DuBois and Mr. Speaker Naifeh and Representatives Bittle, Coleman, Bone**

**Substituted for: Senate Bill No. 3426**

**By Senators Crutchfield, Kilby, Burchett**

AN ACT to amend Title 38, Chapter 3, Part 1, relative to homeland security.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 38, Chapter 3, Part 1, is amended by adding the following as a new appropriately designated section:

Section \_\_\_\_.

(a) The Office of Homeland Security may apply to the Commissioner, Tennessee Department of Safety, to commission such number of its officers that directly support state, federal, and local law enforcement activities involved in countering or responding to acts of terrorism, as the office shall designate, to act as Peace Officers for the Office of Homeland Security.

(b) The Commissioner, upon such application, may appoint such person as the Office of Homeland Security designates, or as many thereof as the Governor deems proper to be such Peace Officers, and shall give commissions to those appointed.

(c) Each such officer, throughout every county in the state, shall have and exercise, for the sole purpose of carrying out the scope of assigned duties as specified or limited within the exclusive judgment of the Office of Homeland Security, all the powers of a peace officer, including the power to make arrests for public offenses anywhere in the state. Further, such officers may serve process in criminal and penal prosecutions for such offenses, and shall have authority to carry weapons for the reasonable purposes of their offices and while in the performance of their assigned duties.

(d) The keepers of jails in any county or municipality wherein a violation occurs, for which any such arrest is made by an officer of the Homeland Security Office, shall receive all persons arrested by such officers to be dealt with according to law, and persons so arrested shall be received by keepers of jails on the same basis and shall have the same status as prisoners arrested by any other law enforcement officer.

(e) Every officer so appointed shall, when on duty, have in possession a badge and identification card identifying such officer as an officer of the Office of Homeland Security, and such officer shall exhibit such badge and identification card on demand and before making an arrest within a reasonable time.


(f) When the Office of Homeland Security no longer requires the services of such Peace Officer so appointed, it shall file a notice to that effect with the Commissioner's Office. Thereupon, the powers of such Peace Officer shall cease and terminate.

(g) Homeland Security officers appointed under this section must complete appropriate initial training and recurrent law enforcement training substantially equivalent to the requirements of the Tennessee Peace Officers Standards and Training Commission.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

**PASSED: April 15, 2004**

**APPROVED this 3<sup>rd</sup> day of May 2004**

  
JIMMY RAIFEH, SPEAKER  
HOUSE OF REPRESENTATIVES

  
JOHN S. WILDER  
SPEAKER OF THE SENATE

  
PHIL BREDESEN, GOVERNOR